TL 4490

East Timor Human Rights Centre

EAST TIMORESE POLITICAL PRISONERS

23 June 1998 Ref: SPR1/98

INTRODUCTION

Since the 1975 invasion of East Timor by Indonesia, many East Timorese people opposed to Indonesian rule have been detained and convicted for their political activities. Often, the detainees have done nothing more than express their political views by non-violent means, while others have allegedly been involved in politically motivated activities involving violence. Detainees who are charged, are tried and convicted in Indonesian courts, even though Indonesia's sovereignty over East Timor has not been recognised by the United Nations and it is questionable whether Indonesian courts have the competence to try East Timorese people. There are frequent reports of political prisoners being convicted at trials which fail to meet international standards of fairness, with convictions being based on information obtained by torture and ill-treatment, and suspects being denied access to independent legal counsel.

The true extent of political imprisonment in East Timor is not known because international human rights organisations are denied access to East Timor, and because Indonesian authorities continue to practice short-term arbitrary detention in order to systematically intimidate, interrogate and torture East Timorese people suspected of opposing Indonesian rule in East Timor. Incommunicado detention is also common, enabling the Indonesian authorities to ignore requirements of their own legal system and to continue interrogation and torture of suspects without the scrutiny and protection provided by independent legal representation and humanitarian assistance.

With the recent change in presidency in Indonesia, there is an opportunity for genuine political reform in Indonesia, and a resolution of the East Timor conflict. President Habibie has acknowledged that political reform must include the release of political prisoners and some Indonesian and East Timorese prisoners have already been released. In total, twenty-nine East Timorese political prisoners have been released, a positive step which is welcomed by the East Timor Human Rights Centre (ETHRC).[1] On 1 June, the Semarang court handed down a not-guilty verdict for four East Timorese prisoners who were standing trial for their alleged involvement in a bomb-manufacturing operation in Semarang, Indonesia.[2] On 10 June,

[1] See Appendix C for details of those released.

[2] The ETHRC welcomed the not-guilty verdict as there had been allegations of irregularities in the trial process, including allegations that information was extracted by torture. See ETHRC UA 23/97PR4 dated 2 June 1998.

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President Habibie announced that fifteen East Timorese political prisoners would be released. The group included six people who were given an amnesty[3] and another nine against whom all charges were withdrawn.[4] A further ten East Timorese people facing charges were released on 13 June.[5]

The releases are welcomed as an important sign of the new President's commitment to political reform, however, if President Habibie is genuinely committed to political reform he must go much further and release other East Timorese political prisoners. In particular, the government of Indonesia should immediately and unconditionally release Xanana Gusmão, leader of the East Timorese Resistance. The ETHRC believes Xanana Gusmão, as President of the CNRT (National Council of Timorese Resistance, the united political front of the Resistance), should be released to enable him to participate in the dialogue for a solution to the East Timor conflict. The unconditional release of Xanana Gusmão would be a significant gesture of good will on the part of the government of Indonesia and such a gesture is clearly needed in the interests of reconciliation and as a sign of the new government's commitment to resolving the East Timor problem.

In the same spirit of reconciliation, and as a confidence-building measure, the ETHRC believes the government of Indonesia should release all other East Timorese political prisoners. This must include the release of the five East Timorese prisoners of conscience convicted for their non-violent political activities[6] and any other prisoners of conscience still in detention, and up to 141 other political prisoners who, it is believed, have been convicted or are awaiting trial for their politically motivated activities. The importance of releasing all prisoners as a confidence-building measure cannot be underestimated, given the fact that serious human rights violations have been perpetrated in East Timor for the last twenty-three years.

Political reform must include respect for freedom of expression and association. This means Indonesian security forces must stop the practice of arbitrarily arresting individuals for their non-violent political activities. All East Timorese should have the right to freedom of expression and association, without fear of harassment, arbitrary arrest, arbitrary and incommunicado detention, torture and ill-treatment.

The reform process should also include reform of the repressive and archaic legislation used to suppress political dissent and imprison East Timorese people opposed to Indonesian rule in East Timor. There is a need for greater respect for the rule of law so that trials meet

[3] Four people, who had been convicted for their involvement in the Mahkota hotel demonstration in March 1997, were given an amnesty. The four received a sentence of 1 year and were in fact due for release on 24 March. By the time they were released they had been in prison for more than 14 months. Another 28 people detained for the Mahkota hotel demonstration were released in March 1998. It is believed all 33 Mahkota hotel detainees were subjected to torture and forced to sign confessions and two women in the group were raped by security force personnel. It is believed the other three people given an amnesty by President Habibie were convicted for participating in a demonstration in Baucau in June 1996.

[4] It is believed the eight people whose charges were dropped had been detained in relation to the November 1997 incident at the University of East Timor (UNTIM) in which the Indonesian military opened fire on students at the campus.

[5] The Dili court dismissed the case against David Dias Ximenes due to lack of evidence. It is believed the authorities dropped against the other nine as they were prisoners of conscience.

[6] The five prisoners of conscience are in detention in Indonesia. See section below and Appendix D for details.

international standards for fairness. Trials and convictions should not be based on information obtained by torture and ill-treatment and suspects should be given regular access to independent legal counsel. In fact, a complete overhaul of the Indonesian judicial system will be required in order to ensure a truly independent judiciary.

Finally, reforms should be reflected in a commitment to upholding accepted international standards, which means ratifying important international conventions such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the International Covenant on Civil and Political Rights (ICCPR) and its Optional Protocols, and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Ratifying CAT is considered to be particularly important in order to demonstrate the government of Indonesia's commitment to human rights as the government agreed, at the 1998 UN Commission on Human Rights, to ratify this convention.

A. PRISONERS OF CONSCIENCE

Prisoners of conscience are people detained or convicted solely for their non-violent political activities.[7] There are five known East Timorese prisoners of conscience who are currently serving sentences for their non-violent opposition to the Indonesian presence in East Timor. Gregorio da Cunha Saldanha, Saturnino da Costa Belo, Jacinto das Neves Raimundo Alves and Francisco Miranda Branco were convicted for organising the 12 November 1991 march to the Santa Cruz cemetery, which resulted in the Santa Cruz massacre. The fifth prisoner, Joao Freitas da Camara, was convicted for organising a demonstration in Jakarta, protesting against the Santa Cruz massacre. There may be other East Timorese prisoners of conscience but this is difficult to confirm as little information is available about prisoners in East Timor.

Repressive legislation

The five prisoners of conscience were all convicted under the repressive provisions of the Indonesian law, which have been employed regularly to suppress political dissent in East Timor. In fact, the Indonesian government has used numerous repressive and archaic legislative provisions, decrees and regulations, in order to suppress dissent and imprison East Timorese people opposed to Indonesian rule in East Timor.[8]

The Anti-Subversion law[9] is used to punish peaceful activities of political opponents. The vague and sweeping language of the Anti-Subversion law enables prosecution and conviction of any-one whose words or actions could be construed as disruptive of public order, the state ideology (*Pancasila)*, the government, its institutions or policies. Where the Anti-Subversion law is invoked, basic rights provided under the Indonesian Code of Criminal Procedure

[7] Amnesty International defines a "prisoner of conscience" as any person who is detained any-where for their beliefs or because of their ethnic origin, sex, colour, language, national or social origin, economic status, birth or other status, who have not used or advocated violence.

[8] See Appendix B for a key to the main provisions of the Indonesian law used to convict East Timorese political prisoners.

[9] The law was originally a presidential decree, signed in 1963, then enacted as a law in 1969 (UU No.11/PNPS/1969).

(KUHAP), do not apply, or are ignored by the authorities, thereby facilitating practices such as incommunicado detention and torture. For example, political suspects are frequently detained by members of the Indonesian military instead of the police as required under KUHAP. Political suspects can also be held indefinitely at the discretion of the military commander.

In recent years, the Indonesian authorities have resorted less frequently to the Anti-Subversion law for convicting East Timorese people. Although this development has been welcomed, it has unfortunately meant that the government of Indonesia has instead resorted to provisions of the Indonesian Criminal Code (KUHP) in order to convict East Timorese opponents of the Indonesian regime and portray them as common criminals, even where they are engaged in peaceful activities. In this way, the government of Indonesia has sought to avoid criticism for imprisoning its political opponents, and to claim legitimacy for its actions.

The repressive "hate-sowing" articles (articles 154, 155, 156 and 160 of KUHP) are also used to suppress political dissent. The articles enable authorities to imprison people for up to seven years for "spreading feelings of hatred toward the government". Other KUHP articles can be used to imprison people for up to 6 years for "insulting the President" (articles 134, 136 and 137) and "incitement to violence" (article 160).

The ETHRC calls on the government of Indonesia to repeal all repressive laws, regulations and decrees which are used to suppress the peaceful and legitimate expression of dissent, including:

- The "hate-sowing" articles and the "insulting the President" and "incitement to violence" articles contained in the Indonesian Criminal Code (KUHP); and
- The Anti-Subversion law.

The East Timorese prisoners of conscience

- Gregorio da Cunha Saldanha, now aged 35, a former nurse at a Dili public hospital, was arrested after being shot during the Santa Cruz massacre on 12 November 1991. Following his arrest, Saldanha faced constant interrogation for two days, despite being weak from his gunshot wound. He was accused of being the principal organiser of the demonstration and in 1992 he was found guilty of subversion under the Anti-Subversion law and sentenced to life imprisonment.

- Saturnino da Costa Belo, now aged about 34, was arrested on 30 November 1991 in relation to the Santa Cruz massacre. He is serving a nine year sentence after being found guilty under the "hate -sowing" articles of the Indonesian Criminal Code for publicly expressing feelings of hostility, hatred or contempt towards the government of Indonesia. Following his arrest, Saturnino was subjected to torture and has also been periodically tortured since that time. He was also placed in solitary confinement after shouting pro-independence slogans while testifying at the trial of Xanana Gusmão in 1993.

- Jacinto das Neves Raimundo Alves, now aged about 41, a former civil servant, was arrested on 12 November 1991 following the Dili massacre. He was found guilty of subversion under the Anti-Subversion law and is serving a ten-year sentence.

- Francisco Miranda Branco, now aged about 48, was arrested in December 1991 after participating in the November Santa Cruz demonstration. He was convicted under the Anti-Subversion law and received a fifteen year sentence. He has serious health problems and has been denied proper medical treatment.

- Joao Freitas da Camara, now aged about 42, a law student at the time of the Santa Cruz massacre, was arrested after participating in a demonstration in Jakarta to protest against the Santa Cruz massacre. He was sentenced to ten years imprisonment after being convicted of subversion under the Anti-Subversion law.

Four of the prisoners of conscience, Gregorio da Cunha Saldanha, Saturnino da Costa Belo, Jacinto das Neves Raimundo Alves and Francisco Miranda Branco, were originally detained at LP Becora prison in Dili but were transferred secretly to the Semarang prison in Indonesia in June 1994. Their families, who had been visiting them weekly, were not notified of the plans to move the prisoners. They arrived to visit the prisoners as usual, only to find they had "disappeared". After inquiries were made by human rights groups, the then Minister of Justice confirmed that they had been moved to the Semarang prison. Despite requests for the prisoners to be moved back to Dili, they remain in detention in Semarang, making visits by family and friends extremely difficult. It is believed prisoners in East Timor are routinely moved to prisons in Indonesia to relieve over-crowding in the East Timorese prisons, however, it is more likely that these prisoners of conscience were moved because they have been such outspoken opponents of Indonesian rule in East Timor. In fact, their transfer to Semarang coincided with the 1994 visit to East Timor by the UN Special Rapporteur on Torture and it appears that authorities wished to prevent them from meeting with the Special Rapporteur.

B. POLITICAL PRISONERS

In East Timor, in the context of the heavy Indonesian military presence and an ongoing armed resistance, many East Timorese people are being convicted for their alleged involvement in politically motivated activities involving violence. There are at least 117 East Timorese prisoners convicted or awaiting trial for political activities which allegedly involved violence[10] and another nineteen prisoners whose continuing detention cannot be confirmed, including fourteen detainees believed to be in incommunicado detention.[11] It is believed the number of East Timorese actually detained could be much higher but it is impossible to obtain names of all detainees because access to East Timor is so strictly controlled. This highlights the need for access to East Timor for international human rights organisations, which at present is not allowed.

Some detainees could in fact be prisoners of conscience, but without more information, it is impossible to determine the real reason for their detention. It is also difficult to ascertain how

[10] See Appendices E and F for details.

[11] See Appendix G for details.

many of the political prisoners have been sentenced at unfair trials, how many have been convicted on the basis of information extracted by torture, and how many have received unduly harsh sentences.

Laws used to detain and convict political prisoners

Most East Timorese political prisoners have been charged or convicted under the Indonesian Criminal Code (KUHP)[12], making it very difficult to clarify just who are the "political" prisoners. Authorities frequently resort to provisions relating to separatism and rebellion to imprison East Timorese people opposed to Indonesian rule in East Timor and accused of violent activities (articles 104, 106, 107, 108 and 110). Other East Timorese accused of violent activities have been convicted under articles which specifically relate to violence (articles 170, 214, 338 and 340). In recent years, an archaic presidential decree, Emergency Law No. 12 of 1951, which bans the use and possession of certain weapons and ammunition, has been dusted off and used extensively in East Timor, making it very easy for authorities to convict East Timorese people.

The Indonesian government claims that many of the East Timorese political prisoners are "common criminals" because they have been convicted under provisions of the Criminal Code. This legalistic approach is both inaccurate and inappropriate in the East Timor context, obscuring the fact that the motivation for the activities of the East Timorese prisoners is political. The Indonesian government's legalistic approach is also inappropriate given that many East Timorese political prisoners have been convicted at trials which fail to meet international standards for fairness, and their convictions were often based on information obtained by torture and ill-treatment.

Xanana Gusmão

Xanana Gusmão, leader of the East Timorese Resistance, was arrested on 20 November 1992 and in May 1993, he was sentenced to life imprisonment after being convicted of rebellion and illegal possession of firearms. The sentence was later commuted to 20 years.

International human rights organizations raised concerns that Xanana was not given a fair trial. He was denied legal representation until six days before his trial commenced and is believed to have been subjected to psychological ill-treatment in the form of sleep deprivation, apparently intended to prevent him from preparing his defence plea. The trial was conducted in Bahasa Indonesia, a language in which Xanana and defence witnesses were not fluent. The trial failed to meet international standards for fairness. For example, it is believed prosecution witnesses, many of whom were also political detainees, gave testimonies which were extracted under duress by the authorities, making their testimonies unreliable as evidence. Some defence witnesses did not testify because of fear of reprisals. Xanana was only permitted to read two pages of his twenty-nine page defence plea, which called into question Indonesia's claim to sovereignty over East Timor.

[12] See Appendix B for a key to the main provisions of the Indonesian law used to convict East Timorese political prisoners.

The irregularities in the conduct of Xanana's trial are certainly good cause for an immediate fair and impartial re-trial, yet the weight of international opinion is calling on the government of Indonesia to go much further and release Xanana Gusmão and these calls are difficult to ignore. The ETHRC supports the calls for Xanana Gusmão, President of the CNRT (National Council of Timorese Resistance – the united political front of the East Timorese Resistance) to be immediately and unconditionally released to enable him to participate in the dialogue for a solution to the East Timor problem.

Initially, President Habibie took a legalistic approaching, announcing that Xanana would not be released because he was considered to be a "common criminal". However, as leader of the East Timorese Resistance, Xanana Gusmão's actions were obviously politically motivated, his role a political one. The government's position has now changed, perhaps due to international pressure, to one of releasing Xanana and giving the territory of East Timor "special status", on condition that East Timor accepts integration with Indonesia. This proposal is basically a reiteration of Indonesia's position, a position clearly not acceptable to the many East Timorese who are calling for a UN-supervised referendum to determine East Timor's future. In taking this position, President Habibie is effectively cutting off any opportunity for genuine dialogue with the East Timorese people. His position also makes it unlikely that Xanana will in fact be released as the proposed release is tied to a requirement of integration of East Timor into Indonesia, an option very unlikely to have the support of the East Timorese people.

The ETHRC believes Xanana Gusmão should be immediately and unconditionally released. His release should not be conditional upon a pre-determined outcome to the conflict but should reflect a genuine willingness to enter dialogue with the East Timorese people in order to find an acceptable solution to the East Timor conflict.

Other political prisoners

In the same spirit of reconciliation, the ETHRC believes the government of Indonesia should release all other East Timorese political prisoners. This is essential in order to build the confidence that is needed in order to bring about effective dialogue. President Habibie has already demonstrated good will towards the East Timorese people by releasing twenty-nine East Timorese prisoners, but a much more significant gesture is needed in order to bridge the credibility gap that exists following twenty-three years of human rights violations under the Soeharto regime. Habibie's gesture needs to be proportionate to the magnitude of the credibility gap, hence the importance of releasing all East Timorese political prisoners.

In a recent report, Amnesty International and Human Rights Watch put forward the option of an independent review of convictions of political prisoners with a view to amnesty or re-trial.[13] Under the proposal, convictions would be reviewed by an independent body which meets international standards of fairness and impartiality, possibly operating under the Indonesian

[13] See Amnesty International and Human Rights Watch, "Indonesia: Release Prisoners of Conscience Now", a joint report released on 4 June 1998, AI Index 21/58/98, HRW Vol. 10, No. 3 (C).

National Commission of Human Rights (Komnas HAM). Based on the review findings, prisoners would be given complete amnesty or a fair and independent re-trial.

The ETHRC believes a process of review and re-trial may be appropriate in a context where a fair and independent process could be implemented promptly. However, East Timor is clearly not such a context and a fair and independent process could not be guaranteed without a complete overhaul of the Indonesian judicial system first taking place. Not only would a review process be unduly slow, it would also be at odds with the position of East Timor under international law, which clearly states that East Timor is not a part of Indonesia.[14]

Reviewing convictions of political prisoners also ignores the political imperatives which are unfolding in the post-Soeharto era, both within Indonesia and in the international arena. These political imperatives are encouraging President Habibie to go much further than merely reviewing convictions of political prisoners. In fact, there has been a overwhelming call from the international community for President Habibie to release all political prisoners as a sign of his genuine commitment to political reform, and his commitment to solving the political impasse on the status of East Timor.

Unfair trials, torture and ill-treatment, transfer of prisoners to Indonesia

Political prisoners are frequently convicted at unfair trials, based on information obtained by torture and ill-treatment. Some prisoners are transferred from jails in East Timor to Indonesia, apparently to relieve over-crowding in East Timorese prisons. This means that from a financial and practical point of view, it is very difficult for political prisoners to receive visits from family and friends.

A recent telling example is a group of sixteen political prisoners transferred on 27 March 1998 from the Baucau prison in East Timor to Kalisosok prison in Surabaya, Indonesia. The sixteen Surabaya detainees were convicted for their alleged involvement in an attack which took place on 31 May 1997 on a police station in Quelicai, Baucau district. The prisoners have at all times denied any involvement in the incident and claim they have been targeted for political reasons. The prisoners wrote an account of their arrest and interrogation, including details of being subjected to torture and ill-treatment in detention:

> *We were gathered, then in sub-district Military Command of Quelicai, and submitted to the interrogation concern with the attack against a Police Station in Quelicai on 31 May 1997. They forced us to recognize ourselves of having collaborated in the attack. It is awfully nonsense, because we do not know what was really happened. We had not only been interrogated, but also suffered many kinds of tortures and ill treatment. They beat our body with guns, sticks and others, punched our face and handcuffed our feet. They tortured us such way in order to get information about the attack. But we couldn't give any answer as they expected. They tortured us more and more and brought to the Local Police*

[14] The UN considers East Timor a non-self-governing territory under Portuguese administration.

> *Station. We faced the same subject of interrogation and suffered more tortures and bad treatment. The Police put us in a narrow jail, without water closet, bed and time for rest; poured us with hot water mixed with sharp spice, petroleum, dirty water of night soil; drunk our own urine ate dirty cloth, papers and wounded our bodies with knife. They did that any time they like.* [15]

As with other East Timorese political prisoners, the government of Indonesia should immediately and unconditionally release the sixteen prisoners at Kalisosok prison, Surabaya.

It is believed another twelve unidentified East Timorese prisoners were also been transferred to Indonesia in early 1998. Two prisoners were transferred to Jakarta, four to Semarang (East Java), six to Kupang (West Timor) and three to Kalabahi (Alor).[16] If any of these prisoners are political prisoners they should be immediately and unconditionally released.

[15] See appendix A for the complete unedited text.

[16] Lusa, 21 May 1998. The names of the prisoners transferred were not published but the names of some Kupang detainees are contained in Appendix F.

RECOMMENDATIONS TO THE GOVERNMENT OF INDONESIA

Prisoners of conscience and political prisoners

1. Immediately and unconditionally release Xanana Gusmão to enable him, as President of the CNRT (National Council of Timorese Resistance, the united political front of the East Timorese Resistance), to participate in the dialogue for a peaceful settlement to the East Timor conflict.

2. Immediately and unconditionally release all East Timorese prisoners of conscience (named in Appendix D) and any other East Timorese people who have been convicted or are awaiting trial, solely for the non-violent expression of their views.

3. As a confidence-building measure, and in order to show the government of Indonesia's commitment to resolving the East Timor conflict through dialogue, immediately and unconditionally release all other East Timorese political prisoners, convicted or awaiting trial for their politically-motivated acts (some are named in Appendices E, F and G).

4. Stop the practice of arbitrarily arresting individuals for their non-violent political activities and ensure that all East Timorese people have the right to freedom of expression and association, without fear of harassment, arbitrary arrest, arbitrary detention, imprisonment, torture or ill-treatment.

Torture and ill-treatment of prisoners

5. Ensure that all East Timorese in police or military custody are treated humanely and in accordance with international standards.

6. Immediately conduct full and impartial investigations into allegations of torture by members of the Indonesian security forces, prosecuting those found responsible to the fullest extent of the law.

7. Prohibit explicitly by law all forms of torture and other forms of cruel, inhuman or degrading treatment or punishment and ensure that all such acts are recognised as criminal offences, punishable by penalties which reflect the seriousness of the crimes.

Arbitrary detention and incommunicado detention

8. Stop the practices of arbitrary and incommunicado detention of individuals. Ensure that detainees have prompt access to lawyers of their own choice and adequate medical treatment.

9. Establish a central register of all detainees in East Timor and require all members of the military and police to report the names of detainees immediately so that family members can be notified of the detention.

10. Immediately cease the practice of using military forces to arrest and interrogate suspects, as these are functions of the police under Indonesia's Criminal Procedure Code (KUHAP).

Legal reform

11. Repeal all repressive laws, regulations and decrees which are used to suppress the peaceful and legitimate expression of dissent, including:
    - The "hate-sowing" articles and the "insulting the President" and "incitement to violence" articles contained in the Indonesian Criminal Code (KUHP); and
    - The Anti-Subversion law

12. Ratify the following international conventions:
    - The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), in accordance with commitments undertaken at the 1998 UN Commission on Human Rights;
    - The International Covenant on Civil and Political Rights (ICCPR) and its Optional Protocols; and
    - The International Covenant on Economic, Social and Cultural Rights (ICESCR).

13. Ensure that the Indonesian judicial system is reformed in order to bring about a judiciary which is truly independent and impartial.

International human rights monitoring

13. Invite the Working Group on Arbitrary Detention to visit East Timor, in accordance with commitments undertaken at the 1998 UN Commission on Human Rights (UNCHR). The visit, which will enable an impartial investigation of allegations of arbitrary detention, should take place before the end of 1998 to enable the working group to prepare a report in time for the 1999 session of the UNCHR.

14. Allow regular and unhindered access to East Timor for international human rights organisations, including the East Timor Human Rights Centre, for the purpose of human rights monitoring.

REQUEST FOR ACTION:

Please send faxes/telegrams/e-mails/airmail letters in English, Bahasa Indonesia or your own language, requesting the government of Indonesia to implement the above recommendations.

SEND APPEALS TO:

1. PRESIDENT YUSUF HABIBIE
President of the Republic of Indonesia
Istana Negara
Gedung Binagraha
Jl. Veteran
Jakarta Pusat
INDONESIA
Faxes: +62 21 345 7782
Telegrams: President Habibie, Jakarta, Indonesia
E-mail: habibie@ristek.go.id

2. MINISTER PROF. DR. MULADI, SH
Minister of Justice
Menteri Kehakiman
Jl H.R. Rasuna Said Blok X VI Kav. 4-5
Kuningan
Jakarta Selatan
INDONESIA
Faxes: +62 21 525 3095
Telegrams: Justice Minister Muladi, Jakarta, Indonesia

3. MINISTER FOR FOREIGN AFFAIRS
Ali Alatas S.H
Menteri Luar Negeri
Jl. Medan Taman Pejambon No. 6
Jakarta
INDONESIA
Faxes: +62 21 360 541 / 360 517 / 380 5511 / 345 7782 / 724 5354

Please also send appeals to:

- Diplomatic representatives of Indonesia in your country
- Parliamentarians and the Foreign Ministry in your country

PLEASE SEND APPEALS IMMEDIATELY

APPENDIX A

Report from 16 East Timorese prisoners in Kalisosok prison, Indonesia

(The statement was received in English and has therefore not been edited)

Quelicai, 5 to 16 June 1997

We had been arrested from 5 to 16 June 1997, by Territorial Military Force. We are 19 under arrested during these days. They came to our house and forced us to be arrested. We really did not know what was the reason. We were gathered, then in sub-district Military Command of Quelicai, and submitted to the interrogation concern with the attack against a Police Station in Quelicai on 31 May 1997. They forced us to recognize ourselves of having collaborated in the attack. It is awfully nonsense, because we do not know what was really happened. We had not only been interrogated, but also suffered many kinds of tortures and ill treatment. They beat our body with guns, sticks and others, punched our face and handcuffed our feet. They tortured us such way in order to get information about the attack. But we couldn't give any answer as they expected. They tortured us more and more and brought to the Local Police Station. We faced the same subject of interrogation and suffered more tortures and bad treatment. The Police put us in a narrow jail, without water closet, bed and time for rest; poured us with hot water mixed with sharp spice, petroleum, dirty water of night soil; drunk our own urine ate dirty cloth, papers and wounded our bodies with knife. They did that any time they like. On 9 June 1997 one of us was beaten badly until broke his jaw. He looked very skinny and hospitalized at military hospital in Dili after suffered a long time ill treatment. On 11 June, six of us were taken to Territorial Police Station in Dili. We are: Joao Bosco Ximenes, Luis Maria da Silva, Francisco da Costa, Marcos Ximenes, Mario Filipe and Januario Martins.

Januario Martins is our fellow custody, died from the tortures in jail. We backed to the Police Station of Baucau on 9 August 1997 and badly tortured again as well as the beginning of our arrest. They insulted the Catholic Religion, the sisters, priests, our Bishop Belo and stepped on the religious pictures saying, "The Catholic Church have caused many Indonesian Military died in East Timor." On 12 August 1997,they took us to the site where the attack took place. On the way back to the Local Police Station of Baucau, some of us were beaten and injured with knife by police. On 6 October 1997, we went to District Attorney. There, all is prepared for our trickery trial. The Public Prosecutor also forced us to talk as they want. If we refuse it, they would take us back to the Military Station. That means we would be tortured again. On 25 October 1997, we went to the Court and there were two indignant lawyers, offered by Indonesian Government. They came to support military accusation against us as criminals instead of providing juridical assistance in our favour.

They disappeared before the end of the trial. The court was over by the end of December 1997. The verdict of the Judge was a great rape against a fair trial and the principles of justice. We do reject it. By the reason of the rejection we suffered again tortures and ill treatment about two months. We stayed in the jail without water neither for shower nor for water closet. Then, the police forced us to accept the sentence. We had no more strength to be the victim of bad treatment and no choice for recovering our right as guiltless. On 3 January 1998, the

police transferred us to the Local Prison of Baucau. On 27 March 1998 about 4.30 in the morning the police took us from the jail. Our hands handcuffed, our eyes covered with black cloth and eight bound in one. We are a group of sixteen people. Soon after that, they put us in a military van. We were not informed any way where to go. All of us had only one feeling that we would be killed, then. From our jail we went to the airport of Baucau. At about 12.00am the police told us that we are going to be transferred to Surabaya. Then the police threw us from the van and took us to the military plane (Hercules). Few minutes later we left Baucau to Surabaya. We arrived in Surabaya, Kalisosok Prison around 4.30pm of the same day. They released all of the ties just inside the prison.

We are now in Kalisosok Prison. Marcos Ximenes Belo is a widower with one child. While Domingos Freitas de Jesus and Domingos Sarmento are married, each one with four children. Francisco da Costa and Luis Maria da Silva are sentenced to death penalty.

It is one side of East Timorese daily life. Please, remember us and support peace, justice and human being in East Timor.

APPENDIX B

Indonesian Criminal Code (KUHP)

Article 55	Involved in the commission of a crime
Article 56	Aiding in the commission of a crime
Article 106	Attempted separatism
Article 108	Rebellion
Article 110	Agreeing to commit a crime
Article 134	Insulting the President or Vice-President
Article 136	Insulting the President or Vice-President
Article 137	Insulting the President or Vice-President
Article 154	"hate-sowing" article
Article 155	"hate-sowing" article
Article 156	"hate-sowing" article
Article 160	Incitement to violence
Article 170	Violence against people and property
Article 214	Two or more people obstructing an officer using violence
Article 338	Intentional murder
Article 340	Pre-meditated murder

Anti-Subversion Law (Presidential Decree 11/1963)

Used to punish peaceful activities of political opponents. Permits prosecution and conviction of any-one whose words or actions can disrupt public order, the state ideology, the government, its institutions or its policies.

Emergency Law No 12/1951

Bans possession of certain weapons

APPENDIX C

EAST TIMORESE POLITICAL PRISONERS RELEASED

No	NAME	DATE OF ARREST	SENTENCE	CHARGES	DETAILS	PLACE OF DETENTION
1.	Albertino Gonçalves Soares da Costa	March 1998	Charges withdrawn	Articles 106 and 55 KUHP	Alleged member of clandestine resistance	LP Becora, Dili
2.	Alfredo Amaral	April 1998	Charges withdrawn	Articles 106 and 55 KUHP	Accused of holding a clandestine resistance meeting	LP Becora, Dili
3.	Antonio Gusmão Freitas	June 1996	1 yr 7 months: given Amnesty 10/6/98	Article 170 KUHP	June 1996 demonstration in Baucau	LP Becora, Dili
4.	Basilio Mendonça Freitas	April 1998	Charges withdrawn	Article 106 and 55 KUHP	Accused of holding a clandestine resistance meeting	LP Becora, Dili
5.	Bendito Amaral	March 1997	1 year: given Amnesty 10/6/98	Articles 354 and 56	Mahkota hotel demonstration, March 1997	LP Becora, Dili
6.	Bernandino Simao	Nov 1997	Charges withdrawn	Article 170 KUHP	UNTIM incident, 14 November 1997	LP Becora, Dili
7.	Bernardo dos Santos	April 1998	Charges withdrawn	Articles 106 and 55 KUHP	Accused of holding a clandestine resistance meeting	LP Becora, Dili
8.	Cancio Antonio Henrique Guterres	March 1997	1 year: given Amnesty 10/6/98	Articles 154 & 55.1 KUHP	Mahkota hotel demonstration, March 1997	LP Becora, Dili
9.	David Dias Ximenes	May 1997	Case dismissed due to lack of evidence	Articles 106, 108, 110 KUHP	Alleged mastermind of Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
10.	Domingos da Silva	Nov 1997	Charges withdrawn	Article 170 KUHP	UNTIM incident, 14 November 1997	LP Becora, Dili
11.	Domingos Natalino Coehlo da Silva	September 1997	Not guilty verdict	Articles 164 and 55 KUHP & Emergency Law 12 of 1951	Allegedly involved in bomb-manufacturing operation in Semarang	LP Kedung Pane, Semarang, Java
12.	Elias de Araujo	April 1998	Charges withdrawn	Article 106 KUHP	Accused of holding a clandestine resistance meeting	LP Becora, Dili

13.	Fernao Malta Lebre	Sept 1997	Not guilty verdict	Emergency Law 12 of 1951	Allegedly involved in bomb-manufacturing operation in Semarang	LP Kedung Pane, Semarang, Java
14.	Francisco de Deus	Nov 1997	Charges withdrawn	Article 170 KUHP	UNTIM incident, 14 November 1997	LP Becora, Dili
15.	Gil Fernandes	March 1998	Charges withdrawn	Articles 106 and 55 KUHP	Alleged member of clandestine resistance	LP Becora, Dili
16.	Hermenegildo da Costa	March 1997	1 year: given Amnesty 10/6/98	Articles 154 and 170 KUHP	Mahkota hotel demonstration, March 1997	LP Becora, Dili
17.	Ivo Miranda	September 1997	Not guilty verdict	Articles 164 and 55 KUHP & Emergency Law 12 of 1951	Allegedly involved in bomb-manufacturing operation in Semarang	LP Kedung Pane, Semarang, Java
18.	João dos Santos	April 1998	Charges withdrawn	Article 106 KUHP	Accused of holding a clandestine resistance meeting	LP Becora, Dili
19.	Joaquim Santana	September 1997	Not guilty verdict	Articles 164 and 55 KUHP & Emergency Law 12 of 1951	Allegedly involved in bomb-manufacturing operation in Semarang	LP Kedung Pane, Semarang, Java
20.	Jose Gomes	June 1996	4 yrs 6 months: given Amnesty 10/6/98		June 1996 demonstration in Baucau	LP Becora, Dili
21.	Juvinal dos Santos	Nov 1997	Charges withdrawn	Article 170 KUHP	UNTIM incident, 14 November 1997	LP Becora, Dili
22.	Luis Pereira	June 1996	2 yrs 3 months: given Amnesty 10/6/98	Article 170 KUHP	June 1996 demonstration in Baucau	LP Becora, Dili
23.	Marcal Amaral Magno Guterres	April 1998	Charges withdrawn	Article 106 KUHP	Accused of holding a clandestine resistance meeting	LP Becora, Dili
24.	Mario Ximenes Reis	March 1998	Charges withdrawn	Article 106 KUHP	Alleged member of clandestine resistance	LP Becora, Dili
25.	Paulo Silva Carvalho	Nov 1997	Charges withdrawn		UNTIM incident, 14 November 1997	Unknown, probably Baucau prison
26.	Paulo Soares	Nov 1997	Charges withdrawn		UNTIM incident, 14 November 1997	Unknown, probably Baucau detention centre

27.	Silveirio Baptista	Nov 1997	Charges withdrawn	Article 170 KUHP	UNTIM incident, 14 November 1997	LP Becora, Dili
28.	Tomas Augusto Correia	March 1997	1 year: given Amnesty 10/6/98	Articles 154 and 170 KUHP	Mahkota hotel demonstration, March 1997	LP Becora, Dili
29.	Vicente da Cruz	Nov 1997	Charges withdrawn	Article 170 KUHP	UNTIM incident, 14 November 1997	LP Becora, Dili

APPENDIX D

PRISONERS OF CONSCIENCE

No	NAME	DATE OF ARREST	SENTENCE	CHARGES	DETAILS	PLACE OF DETENTION
1.	Francisco Miranda Branco	Dec 1991	15 years	Anti-Subversion Law	Santa Cruz demonstration, 12 November 1991	LP Kedung Pane, Semarang, Java
2.	Gregorio da Cunha Saldanha	Nov 1991	Life	Anti-Subversion Law	Principal organizer of Santa Cruz demonstration, 12 November 1991	LP Kedung Pane, Semarang, Java
3.	Jacinto das Neves Raimundo Alves	Nov 1991	10 years	Anti-Subversion Law	Santa Cruz demonstration, 12 November 1991	LP Kedung Pane, Semarang, Java
4.	João Freitas da Camara	Nov 1991	10 years	Anti-Subversion Law	Organizing demonstration in Jakarta against November 1991 Santa Cruz massacre	Cipianang prison, Jakarta
5.	Saturnino da Costa Belo	Nov 1991	12 years	Articles 154 and 155 KUHP	Organizing and participating in Santa Cruz demonstration, 12 November 1991	LP Kedung Pane, Semarang, Java

APPENDIX E

POLITICAL PRISONERS: DETENTION IN EAST TIMOR CONFIRMED

No	NAME	DATE OF ARREST	SENTENCE	CHARGES	DETAILS	PLACE OF DETENTION
6.	Abel da Costa Xavier	July 1997	10 years	Unconfirmed – possibly KUHP Articles 106, 108, 110 and 55	Attack on police station, Baucau, May 1997	LP Becora, Dili
7.	Adelino Alves	June 1996	2 yrs 6 months	Article 187 KUHP	June 1996 disturbances in Baucau	LP Becora, Dili
8.	Adelio de Fatima Barreto Henrique	June 1997	18 months	Unconfirmed – possibly KUHP Articles 108, 214 & 56	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
9.	Afonso Manuel	Sept 1997	2 years	Articles 106, 108, 110 and 55 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
10.	Afonso Pedro					LP Becora, Dili
11.	Agostinho dos Santos	June 1997	10 years		Monte Naugalla Ermera 10/96	LP Becora, Dili
12.	Agostino Moreira	July 1996	5 years	Article 338 KUHP	June 1996 disturbances in Baucau	LP Becora, Dili
13.	Agostino Vidal	June 1996	6 years	Article 170 KUHP	June 1996 disturbances in Baucau	LP Becora, Dili
14.	Alberto da Costa M Belo	April 1998	Awaiting trial	Law No.12/1951	Accused of harbouring guerrillas and of illegal possession of weapons	POLRES, Baucau
15.	Alberto Ximenes	October 1997	8 years			LP Becora, Dili
16.	Alexio Cortereal	Sept 1997	2 years	Articles 106 KUHP	Rebellion	Ermera detention centre
17.	Antonio Freitas	April 1998	Awaiting trial	Article 106 KUHP	Accused of holding a clandestine resistance meeting	LP Becora, Dili
18.	Armindo da Costa	Sept 1997	10 years	Unconfirmed – possibly KUHP Articles 210, 214 & 55	Attack on police station, Baucau, May 1997	LP Becora, Dili
19.	Basilio Guterres	1997	Awaiting trial			LP Becora, Dili

20.	Bernardo da Silva	Feb 1998	Awaiting trial	Unknown- possibly no charges	Alleged political activities, home-made bombs and arrows allegedly found in a student's home	LP Becora, Dili
21.	Bernardo Mendes		Awaiting trial		Alleged member of clandestine resistance, accused of supporting Falintil	LP Becora, Dili
22.	Bernardo Soares	February 1998	Awaiting trial	Emergency Law No. 12/1951	Accused of possession of ammunition intended to aid Falintil	Baucau detention centre
23.	Bobby Xavier Lobato Pereira			Articles 338,106 and 108 KUHP	Accused of torturing ABRI member and rebellion	POLDA, Dili
24.	Carlos Freitas	July 1997	4 years	Articles 338 and 340 KUHP	Killing of ABRI member in Vemasse, Baucau district	Baucau detention centre
25.	Celestino Felipe Gama	July 1997	10 years	Articles 106, 108, 110 KUHP	Attack on police station, Baucau, May 1997	Baucau detention centre
26.	Constancio Ç Santos	Sept 1997	20 years	Articles 106 & 110 KUHP and Emergency Law No.12/1951	Possession and transport of home-made bombs and weapons	LP Becora, Dili
27.	Domingos da Silva	Nov 1997 ?1617	Awaiting trial		Accused of possession of Molotov cocktails	LP Becora, Dili
28.	Domingos de Oliveira	April 1998	Awaiting trial	Law No.12/1951	Accused of harbouring guerrillas and of illegal possession of weapons	POLRES, Baucau
29.	Domingos Pereira	1997	1 year 6 months	Articles 106, 108 and 110 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
30.	Eduardo dos Santos	October 1996	10 years			LP Becora, Dili
31.	Eduardo Ximenes		7 years			LP Becora, Dili
32.	Eusebio dos Santos Marques	June 1997	2 years		1997 election related attacks	LP Becora, Dili
33.	Floriano da Costa Xavier	Feb 1998	Awaiting trial	Unknown- possibly no charges	Home-made bombs and arrows allegedly found in a student's home	LP Becora, Dili
34.	Florindo Gomes		Awaiting trial		Alleged member of clandestine resistance, accused of supporting Falintil	LP Becora, Dili

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35.	Francisco da Conceição	June 1997	10 years	Articles 106, 110 and 55 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
36.	Francisco da Costa	June 1997	Death, commuted to life sentence	Articles 106, 108, 110, 214, 340 & 55 KUHP and Emergency Law No.12/1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Becora, Dili
37.	Francisco da Silva	May 1997	10 years	Articles 108 and 214 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
38.	Francisco do Carmo	June 1997	2 years	Articles 106 and 110 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
39.	Francisco Freitas	July 1997	5 years	Articles 340 and 338 KUHP	Killing of ABRI member in Vemasse, Baucau district	LP Becora, Dili
40.	Francisco Gama	Dec 1996				LP Becora, Dili
41.	Francisco Soares	May or June 1997	10 years	Articles 108 and 214 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
42.	Gaspar da Silva	Nov 1997	Awaiting trial		Accused of possession of Molotov cocktails and of aiding Falintil	LP Becora, Dili
43.	Gaspar dos Santos	October 1996	10 years			LP Becora, Dili
44.	Guilhermino Soares	May-July 1997		Articles 333 and 340 KUHP	Alleged killing of ABRI member in Vemasse, Baucau district	Manatuto detention centre
45.	Henrique Belmiro Guterres	Dec 1994	6 years 2 months	Articles 106 and 110 KUHP	Convicted for being Xanana Gusmao's driver	LP Becora, Dili
46.	Ijidio da Cunha	June 1997	10 years	Articles 108 and 214 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
47.	Ines Amaral (female)	February 1998	Awaiting trial	Law No. 12/1951	Accused of possession of ammunition intended to aid Falintil	Baucau detention centre
48.	Jeronimo Soares	July 1997	8 years	Articles 338 and 340 KUHP	Killing of ABRI member in Vemasse, Baucau district	Baucau detention centre
49.	João Alves Trindade	October 1996	10 years			LP Becora, Dili

50.	João da Cunha	June 1997	3 years	Articles 108, 110 & 55 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
51.	João de Deus	July 1997	4 years	Articles 338 and 340 KUHP	Killing of ABRI member in Vemasse, Baucau district	Manatuto detention centre
52.	João de Deus Pineiro	June 1996	2 yrs 3 months	Article 187 KUHP	June 1996 disturbances in Baucau	LP Becora, Dili
53.	Joao Evangelino	April 1998		Articles 106 KUHP and Emergency Law No.12/1951	Accused of harbouring guerrillas and of illegal possession of weapons	Baucau detention centre
54.	João Soares	June 1997	Awaiting trial		Alleged member of clandestine resistance, accused of supporting Falintil	LP Becora, Dili
55.	João Soares Reis	Feb 1998	Awaiting trial	Unknown- possibly no charges	Home-made bombs and arrows allegedly found in a student's home	LP Becora, Dili
56.	Joaquim Carvalho de Araujo	June 1997	4 years	Articles 108, 110 and 55 KUHP	Brimob headquarters assault, Dili, May 1997, in ill health at present	LP Becora, Dili
57.	Jose da Costa	April 1998	Awaiting trial	Articles 106 KUHP and Law No.12/1951	Accused of harbouring Falintil guerrillas and of illegal possession of weapons	POLRES, Baucau
58.	Jose Salcinha Babo	October 1996	10 years			LP Becora, Dili
59.	Jose Soares		Awaiting trial		Alleged member of clandestine resistance, accused of supporting Falintil	LP Becora, Dili
60.	Jose Soares Menezes	June 1997	10 years			LP Becora, Dili
61.	Julito Babo	October 1996	10 years			LP Becora, Dili
62.	Juveano Nue Ribeiro				Accused of aiding Falintil	Baucau detention centre
63.	Lamberto Freitas	May-July 1997	3 years	Articles 333 and 340 KUHP	Killing of ABRI member in Vemasse, Baucau district	LP Becora, Dili
64.	Lino Xavier Nunes	July 1997	5 years	Unconfirmed – possibly KUHP Articles 338 and 340	Killing of ABRI member in Vemasse, Baucau district	LP Becora, Dili
65.	Lucio de Jesus	April 1998	Awaiting trial	Law No.12/1951	Alleged member of clandestine resistance, accused of illegal possession of weapons	POLRES, Baucau

66.	Luis Antonio Soares	June 1997	10 years	Articles 108, 110 & 55 KUHP	Attack on police station, Baucau, May 1997	LP Becora, Dili
67.	Luis Gonzaga		7 years	Article 106 KUHP	Rebellion	Ermera detention centre
68.	Luis Maria da Silva	June 1997	Death, commuted to life sentence	Articles 108, 110, 214, 340 & 56 KUHP & Law No.12/1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Becora, Dili
69.	Manuel da Silva		3 years	Article 106 KUHP	Rebellion	Ermera detention centre
70.	Manuel Gomes		18 months	Article 137 KUHP	Insulting the President	Ermera detention centre
71.	Manuel Moniz					LP Becora, Dili
72.	Manuel Nunes	Dec 1996				LP Becora, Dili
73.	Manuel Sarmento	April 1998	Awaiting trial	Article 106 KUHP	Accused of holding a clandestine resistance meeting	LP Becora, Dili
74.	Mariano da Costa Sarmento	May or June 1997	10 years	Articles 108 and 55 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
75.	Mario dos Reis	April 1998				LP Becora, Dili
76.	Mateus dos Santos	Dec 1996				LP Becora, Dili
77.	Mateus Tilman		18 months	Article 137 KUHP	Insulting the President	Ermera detention centre
78.	Matias Gouveia Duarte	Nov 1994	5 years	Article 106 KUHP	Rebellion	LP Becora, Dili
79.	Matias Marcal Soares	June 1997	14 years	Articles 106 and 110 KUHP	Attack on police station, Baucau, May 1997	LP Becora, Dili
80.	Paulino F Martins					LP Becora, Dili
81.	Paulo da Costa Soares	April 1998	Awaiting trial	Law No.12/1951	Alleged member of clandestine resistance, accused of illegal possession of weapons	POLRES, Baucau

82.	Pedro Freitas	July 1997	5 years	Article 106 KUHP	Killing of ABRI member in Vemasse, Baucau district	LP Becora, Dili
83.	Reinaldo Marcal	May or June 1997	10 years	Articles 108 and 55 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
84.	Rogerio Viegas Vicente				Accused of attempted murder of ABRI member	Maliana detention centre
85.	Romeo da Conceicao	May or June 1997	10 years	Articles 108 and 55 KUHP	Brimob headquarters assault, Dili, May 1997	LP Becora, Dili
86.	Rui Ivo de Sa Freitas	May-July 1997	2 years	Articles 333 and 340 KUHP	Killing of ABRI member in Vemasse, Baucau district	Manatuto detention centre
87.	Rui Lacomau	Sept 1995				LP Becora, Dili
88.	Sabino Barbosa Ximenes	Sept 1997	Awaiting trial	Unconfirmed – possibly KUHP Articles 55(1), 338, 354(2), 351(3) and 333(1)	Alleged member of clandestine resistance, accused of supporting Falintil	Baucau detention centre
89.	Salustiano Freitas	April 1998	Awaiting trial	Law No.12/1951	Alleged member of clandestine resistance, accused of illegal possession of weapons	POLRES, Baucau
90.	Salvador da Silva	August 1996	13 years			LP Becora, Dili
91.	Salvador da Silva	Nov 1997	Due for release 25-12-2000	Article 187 KUHP	Accused of possession of Molotov cocktails and of aiding Falintil	LP Becora, Dili
92.	Sandro Alexandre	Dec 1996				LP Becora, Dili
93.	Silvestre Martins	October 1996	10 years			LP Becora, Dili
94.	Simao Freitas	May-July 1997		Articles 333 and 340 KUHP	Alleged killing of ABRI member in Vemasse, Baucau district	Manatuto detention centre
95.	Venancio Amaral					LP Becora, Dili

APPENDIX F

POLITICAL PRISONERS: DETENTION IN INDONESIA CONFIRMED

No	NAME	DATE OF ARREST	SENTENCE	CHARGES	DETAILS	PLACE OF DETENTION
96.	Alberto da Silva Gaio			Incommunicado detention		Kopassus Baucau
97.	Albino Carlos Freitas	June 1997	12 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
98.	Alexandre Freitas Alves	June 1997	12 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
99.	Aniceto Ornai	June 1997		KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kupang, West Timor
100.	Armando da Silva	May 1998		Incommunicado detention	Alleged political activities	Kopassus, Baucau
101.	Armindo da Costa Ornai	June 1997		KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kupang, West Timor
102.	Boaventura Belo, 16	June 1997	12 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
103.	Celestino Viegas	June 1997				LP Kupang, West Timor
104.	Domingos da Piedade	June 1997		KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kupang, West Timor
105.	Domingos Freitas de Jesus	June 1997	11 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
106.	Domingos Moreira	May 1998		Incommunicado detention	Alleged member of clandestine resistance	Kopassus Baucau
107.	Domingos Sarmento	June 1997	12 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java

108.	Domingos Savio Freitas	June 1997	12 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
109.	Filomeno Freitas	June 1997	13 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
110.	Fortunato Ximenes	June 1997	12 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
111.	Jaime Freitas			Incommunicado detention		Kopassus Baucau
112.	João Bosco Ximenes	June 1997	9 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
113.	João Freitas	June 1997	12 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
114.	Justino Graciano Freitas	June 1997	13 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
115.	Justo Bernardino (Lari Mau)	March 1998		Incommunicado detention	Commander of Falintil in Los Palos	Kopassus, Lospalos
116.	Marcos Ximenes	June 1997	13 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
117.	Marcos Ximenes Belo	June 1997	9 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
118.	Mario Filipe	June 1997	9 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
119.	Mateus Lopes	June 1997		KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kupang, West Timor
120.	Mohamad Amin Dagal	June 1997	13 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
121.	Virgilio Martins	June 1997	11 years	KUHP Articles 106 and 340; Law 12 of 1951	Assault on Indonesian military truck, Quelicai, May 1997	LP Kalisosok, Surabaya, Java
122.	Xanana Gusmão	November 1992	Life, commuted to 20 years	KUHP Articles 106 and 108; Law 12 of 1951	Leader of East Timorese Resistance movement	Cipianang prison, Jakarta

APPENDIX G

POLITICAL PRISONERS: DETENTION IN EAST TIMOR UNCONFIRMED

No	NAME	DATE OF ARREST	SENTENCE	CHARGES	REASON FOR DETENTION	PLACE OF DETENTION
123.	Agostinho Belo	1997			Amnesty Int. list. Arrested for killing of Golkar member, April 1997.	LP Becora, Dili
124.	Agostinho Gonçalves	March 1998		Incommunicado detention	Unknown	Police custody in Dili (unconfirmed)
125.	Alvino Freitas	June 1997	12 years	Articles 106 & 340 KUHP and Law No.12/1951	Amnesty International list of political prisoners	Unconfirmed
126.	Antonio da Costa	May 1998		Incommunicado detention	Unknown	Kopassus, Baucau
127.	Azito Soares	June 1996	2 years 6 months	Article 170 KUHP	June 1996 disturbances in Baucau. Unconfirmed whether still detained	LP Becora, Dili (unconfirmed)
128.	Cesario da Costa (Belo)	June 1997		Incommunicado detention	Arrested in June 1997 ambush in which David Alex, leader of Falintil was shot and killed	SGI Colmera, Dili, or Kopassus, Baucau (unconfirmed)
129.	Daniel Freitas	June 1996	8 years	Unconfirmed – possibly KUHP Articles 106 & 110	Amnesty Int list of prisoners. June 1996 disturbances in Baucau	LP Becora, Dili (unconfirmed)
130.	Gil da Costa	June 1997		Incommunicado detention or possibly killed	Arrested in June 1997 ambush in which David Alex, leader of Falintil was shot and killed	Rumah Merah (Kopassus), Dili (unconfirmed)
131.	Gil Ximenes	March 1998		Incommunicado detention	Unknown	Police custody in Dili (unconfirmed)
132.	Guilherme dos Santos	June 1997		Incommunicado detention	Arrested in June 1997 ambush in which David Alex, leader of Falintil was shot and killed	SGI Colmera, Dili, or Kopassus, Baucau (unconfirmed)

133.	Jose Antonio Belo	June 1997		Incommunicado detention	Arrested in June 1997 ambush in which David Alex, leader of Falintil was shot and killed	SGI Colmera, Dili, or Kopassus, Baucau (unconfirmed)
134.	Jose Soares Tailelo	1994	4 years	Articles 106, 108, 110 KUHP	Unconfirmed whether still detained	LP Becora, Dili (unconfirmed)
135.	Manuel "Loke Matan"	June 1998		Incommunicado detention	Arrested in June 1997 ambush in which David Alex, leader of Falintil was shot and killed	Rumah Merah (Kopassus), Baucau (unconfirmed)
136.	Manuel Trindade	June 1996	2 years 3 months	Article 187 KUHP	June 1996 disturbances in Baucau. Unconfirmed whether still detained	LP Becora, Dili (unconfirmed)
137.	Martins Belo	April 1998	Awaiting trial	Law No.12/1951	Alleged member of clandestine resistance, accused of illegal possession of weapons	POLRES, Baucau (unconfirmed)
138.	Mauricio da Costa	May 1998		Incommunicado detention	Unknown	Kopassus, Baucau
139.	Paulino Cabral	June 1996	4 yrs 6 months	Article 170 KUHP	June 1996 disturbances in Baucau. Unconfirmed whether still detained	LP Becora, Dili (unconfirmed)
140.	Rui Campus	January 1998		Incommunicado detention	Unknown	Laruara (Kopassus), Lospalos
141.	Zeferino do Rosario de Sa	June 1996	1 years 8 months	Article 448 KUHP	June 1996 disturbances in Baucau. Unconfirmed whether still detained	LP Becora, Dili (unconfirmed)